

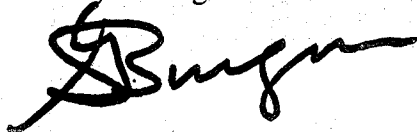
**MEMORANDUM** Agenda Item No. 4(T)

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**TO:** Honorable Chairperson Barbara Carey-Shuler, Ed.D.  
and Members, Board of County Commissioners

**DATE:** December 16, 2003

**FROM:** George M. Burgess  
County Manager



**SUBJECT:** Governmental Facilities Hearing  
Approving Amendment of the  
Crandon Park Master Plan to  
Modify the Uses and Scope of  
the Proposed Crandon Park  
Marina Dive Shop Building  
03GF09

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**RECOMMENDATION**

It is recommended that the Board of County Commissioners approve the attached resolution amending the terms of the Crandon Park Master Plan in order to modify the uses and scope of the proposed Crandon Park Marina Dive Shop Building, as presently permitted by the Crandon Park Master Plan, subject to the approval of the Crandon Park Amendment Committee. The item has been prepared by the General Services Administration at the request of the Miami-Dade Park and Recreation Department and is recommended for approval.

**LOCATION:** 4000 Crandon Boulevard, Key Biscayne, Florida

**PROPERTY INFORMATION:** Crandon Park is a 900-acre metropolitan park with a variety of passive and active recreational amenities. The park includes a tennis center, golf course, beach area, gardens, bike paths, picnic areas, parking, concession stands, nature trails, mangrove preservation areas, marina, two (2) baseball fields and two (2) multi-purpose fields.

**BACKGROUND:** In 1940 the Matheson family conveyed 900 acres of property on Key Biscayne to Miami-Dade County (formerly Metropolitan Dade County) for use as a public park. As a settlement of litigation between the heirs for the Matheson family and the County over appropriate public park uses, the family and the County entered into a Settlement Agreement in 1992. The Settlement Agreement provides that any amendment to the Master Plan be approved by the Board of County Commissioners by resolution and transmitted to the Crandon Park Amendment Committee (CPAC) as established by the Settlement Agreement. Pursuant to the Settlement Agreement, the Board of County Commissioners approved a draft Crandon Park Master Plan on July 13, 1993, via Resolution No. R-861-93. The final Crandon Park Master Plan was approved on July 18, 1996, via Resolution No. R-900-96.

The primary objective of the Crandon Park Master Plan is to ensure that park structures and uses are consistent with public park purposes, and to permit upgrades and enhancements to recreational facilities already existing in the park.

**PROJECT DESCRIPTION:**

The Miami-Dade Park and Recreation Department is requesting to amend certain portions of the Crandon Park Master Plan (CPMP) for the purpose of modifying the uses and scope of the proposed Crandon Park Marina dive shop building as it is presently permitted by the Crandon Park Master Plan.

The Master Plan would be modified to include the following language specifically stated as follows:

**DESIGN OBJECTIVES FOR SPECIFIC AREAS**

\* \* \*

**CRANDON PARK MARINA**

**FROM: Design Objectives:**

\* \* \*

Permit a Dive Shop operation which includes a building for office (maximum size 530 square feet), tour and merchandise sales and dock space that currently exist

**TO:** Permit a Dive Shop operation which includes a building for office (maximum size 530 square feet), with an attached 730 square foot deck containing a certification dive well, tour and merchandise sales and dock space that currently exist.

**FROM:** Permit dive shop activities, including chartered dive trips and off-site certification instruction

**TO:** Permit dive shop activities, including chartered dive trips and on-site certification instruction

**FROM:** 1. (Page No. 34 CPMP) "Except on the Tennis Center Site during the Tournament Preparation Period, the Tournament Period and the Site Restoration Period (all as hereinafter defined), no structure, including light poles, shall be permitted over 25' above the natural ground

level, provided however, the Visitors' and Nature Center may not exceed 28 feet in height, the Crandon Boulevard street lights may not exceed 30 feet in height, the Tennis Center Stadium may not exceed 37 feet 6 inches in height."

**TO:** Except on the Tennis Center Site during the Tournament Preparation Period, the Tournament Period and the Site Restoration Period (all as hereinafter defined), no structure, including light poles, shall be permitted over 25' above the natural ground level, provided however, the Marina dive shop may not exceed (30) feet in height, the Visitors' and Nature Center may not exceed 28 feet in height, the Crandon Boulevard street lights may not exceed 30 feet in height, the Tennis Center Stadium may not exceed 37 feet 6 inches in height.

**FROM:** 2. (Page No. 37 CPMP) "Upon expiration of the dive shop lease in existence on the adoption date of this Master Plan, the dive concession operation on the Crandon Park Lands shall be limited to a 530 square foot facility, and be served by no more than two dive boats no larger (40") than those in service as of January 14, 1993."

**TO:** Upon expiration of the dive shop lease in existence on the adoption date of this Master Plan, the dive concession operation on the Crandon Park Lands shall be limited to a 530 square foot facility, with an attached 730 square foot deck containing a certification dive well, and be served by no more than two dive boats no larger (40") than those in service as of January 14, 1993.

#### MASTER PLAN

\* \* \*

Description of Detailed Elements by  
Feature or Area

\* \* \*

#### CRANDON PARK MARINA

\* \* \*

**FROM:** "The dive shop facility now located on the Crandon Park Lands shall be limited to its present size, the number of dive boats and location until the present lease between the County and the dive shop operator expires, at which time such area shall be subject to the provisions of this Master Plan. Upon the termination of the present contract for the Dive Shop, the existing office trailer shall be removed and if the concession is continued a new one story

building may be constructed in the South Florida Vernacular Architectural Style, not exceeding 530 square feet of interior floor space in the position shown on the Master Plan Site Plan. The maximum number of concession dive boats shall be two and the maximum length forty feet. Effective within forty days of the Adoption Date there shall be only one sign no larger than 15" X 30" on the existing building or any projected new building. There shall be no signs, banners, flags or others means of advertising or promotion including vending machines visible from outside the building. The new Dive Shop building may have a 4 foot wide, wooden front porch under the overhang of the eaves with a ramp for the handicapped and steps to accommodate a rise not greater than 18 inches from natural grade, except as required by the Americans with Disabilities Act."

TO: The dive shop facility now located on the Crandon Park Lands shall be limited to its present size, the number of dive boats and location until the present lease between the County and the dive shop operator expires, at which time such area shall be subject to the provisions of this Master Plan. Upon the termination of the present contract for the Dive Shop, the existing office trailer shall be removed and if the concession is continued a new ~~[[one-story]]~~ building may be constructed in the South Florida Vernacular Architectural Style, not exceeding 530 square feet of interior floor space in the position shown on the Master Plan Site Plan. >>To provide on-site certification, a 730 square foot deck containing a dive well may be attached to the building.<< The maximum number of concession dive boats shall be two and the maximum length forty feet. Effective within forty days of the Adoption Date there shall be only one sign no larger than 15" X 30" on the existing building or any projected new building. There shall be no signs, banners, flags or other means of advertising or promotion including vending machines visible from outside the building. The new Dive Shop building may have an ~~[[4]]~~ >>8<< foot wide, wooden ~~[[front porch under the overhang of the eaves]]~~ >>veranda<<, with a ramp for the handicapped and steps to accommodate a rise >>from natural grade<< ~~[[ef]]~~ not greater than ~~[[18-inches]]~~ >>the minimum elevation required to meet FEMA flood criteria<< ~~[[from natural grade]]~~, except as required by the Americans with Disabilities Act.

u

JUSTIFICATION:

The modifications proposed for the dive shop building are necessary to meet the new FEMA regulations and the ADA requirements for a public attraction. The increase in width of the veranda surrounding the outside of the building will better accommodate the flow of patrons in and out of the building and improve the aesthetics of the required handicapped ramp. The inclusion of the dive well is necessary for the efficient certification and training of the dive shop patrons.

FUNDING SOURCE:

The projected budget for the construction of the dive shop building is estimated at \$150,000 to \$200,000. The operator, Diver's Paradise, will provide the private funding for this project.

DEVELOPMENT:

Upon approval by the Board of County Commissioners, this request will be reviewed by the Crandon Park Amendment Committee for final approval, as stipulated in the Settlement Agreement. Construction is anticipated to commence in June of 2004 and will be completed within one (1) year.

SITE REVIEW COMMITTEE:

The Committee's task is to review projects subject to Section 33-303 of the Code of Miami-Dade County with regard to the public need for the proposed facility, its impact upon the surrounding community, and other similar considerations. The Committee reviewed the project on July 16, 2003 and, upon this review, the Committee found no objection to the proposed modifications to the proposed dive shop building as presented and the project received unanimous recommendation for approval.

PUBLIC HEARING:

Section 33-303 of the Code of Miami-Dade County provides that, prior to the construction or operation of a facility in the unincorporated areas of Miami-Dade, a favorable public hearing before the Board of County Commissioners is required. The attached report from the Miami-Dade County Site Review Committee addresses existing land use patterns and the nature of the impact of the facility on surrounding property.



Assistant County Manager



# MEMORANDUM

(Revised)

**TO:** Hon. Chairperson Barbara Carey-Shuler, Ed.D.  
and Members, Board of County Commissioners

**DATE:** December 16, 2003

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No. 4(T)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☒ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved \_\_\_\_\_ Mayor

Veto \_\_\_\_\_

Override \_\_\_\_\_

Agenda Item No. 4(T)

12-16-03

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING AN AMENDMENT TO THE CRANDON PARK MASTER PLAN TO MODIFY THE USES AND SCOPE OF THE PROPOSED CRANDON PARK MARINA DIVE SHOP BUILDING AS PRESENTLY PERMITTED BY THE CRANDON PARK MASTER PLAN, IN COMPLIANCE WITH SECTION 33-303 OF THE CODE OF MIAMI-DADE COUNTY, SUBJECT TO THE APPROVAL OF THE COMMITTEE ON AMENDMENT OF THE CRANDON PARK MASTER PLAN

WHEREAS, this Board has conducted a public hearing in compliance with the provisions of Section 33-303 of the Code of Miami-Dade County, Florida,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA, that:

Section 1. This Board hereby finds and declares that amending the terms of the Crandon Park Master Plan to modify the uses and scope of the proposed Dive Shop building at the Crandon Park Marina, located at 4000 Crandon Boulevard, more specifically described as follows:

THE NORTH 1790 FEET OF TRACT 1 AND ALL OF TRACT 2 AND 3 OF KEY BISCAYNE AS SHOWN IN PLAT BOOK 34, PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

will not have a significant new impact on the current use of Crandon Park Lands, and in so finding, has considered, among other factors, the type of function involved, the public need therefore, the land use pattern in the area, and the nature of the impact on the surrounding property.

Section 2. The Board hereby recommends approval of the amendment modifications to the Crandon Park Master Plan as stated herein, and that the following modifications be incorporated into the Crandon Park Master Plan as approved on July 18, 1996 (Resolution 900-96). The Master Plan would be modified to include the following language substantially as follows:<sup>1</sup>

\* \* \*

## DESIGN OBJECTIVES FOR SPECIFIC AREAS

### CRANDON PARK MARINA

\* \* \*

#### 1. Design Objectives:

- Permit a Dive Shop operation which includes a building for office (maximum size 530 square feet), >> with an attached 730 square foot deck containing a certification dive well, << tour and merchandise sales and dock space that currently exist
- Permit dive shop activities, including chartered dive trips and ~~[[off-site]]~~ >>on-site<< certification instruction

<sup>1</sup>Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or >>double arrowed<< shall constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.



\* \* \*

## MASTER PLAN

### General Provisions and Restrictions

\* \* \*

34. Except on the Tennis Site during the Tournament Preparation Period, the Tournament Period and Site Restoration Period (all as hereinafter defined), no structure, including light poles, shall be permitted over 25' above the natural ground level, provided however, >>the Marina dive shop may not exceed (30) feet in height, << the Visitors' and Nature Center may not exceed 28 feet in height, the Crandon Boulevard street lights may not exceed 30 feet in height, the Tennis Center Stadium may not exceed 37 feet 6 inches in height.

\* \* \*

37. Upon expiration of the dive shop lease in existence on the adoption date of this Master Plan, the dive concession operation on the Crandon Park Lands shall be limited to a 530 square foot facility, >>with an attached 730 square foot deck containing a certification dive well, << and be served by no more than two dive boats no larger (40') than those in service as of January 14, 1993.

\* \* \*

## MASTER PLAN

### Description of Detailed Elements by Feature or Area

\* \* \*

## CRANDON PARK MARINA

\* \* \*

The dive shop facility now located on the Crandon Park Lands shall be limited to its present size, the number of dive boats and location until the present lease between the County and the dive shop operator expires, at which time such area shall be subject to the provisions of this Master Plan. Upon the termination of the present contract for the Dive Shop, the existing officer trailer shall be removed and if the concession is continued a new ~~[[one-story]]~~ building may be constructed in the South Florida Vernacular Architectural Style, not exceeding 530 square feet of interior floor space in the position shown on the Master Plan Site Plan. >>To provide on-site certification a 730 square foot deck containing a dive well may be attached to the building.<< The maximum number of concession dive boats shall be two and the maximum length forty feet. Effective within forty days of the Adoption Date there shall be only one sign no larger than 15" X 30" on the existing

building or any protected new building. There shall be no signs, banners, flags or other means of advertising or promotion including vending machines visible from outside the building. The new Dive Shop building may have a [[4]] >>8<< foot wide, wooden [[front porch under the overhang of the eaves]] >>veranda<<, with a ramp for the handicapped and steps to accommodate a rise >>from natural grade<< [[of]] not greater than [[18 inches]] >>the minimum elevation required to meet FEMA flood criteria<< [[from natural grade]], except as required by the Americans with Disabilities Act.

\* \* \*

The foregoing resolution was offered by Commissioner  
who moved its adoption. The motion was seconded by Commissioner , and upon  
being put to a vote, the vote was as follows:

Barbara Carey-Shuler, Ed.D., Chairperson	
Katy Sorenson, Vice-Chairperson	
Bruno A. Barreiro	Jose "Pepe" Cancio, Sr.
Betty T. Ferguson	Sally A. Heyman
Joe A. Martinez	Jimmy L. Morales
Dennis C. Moss	Dorin D. Rolle
Natacha Seijas	Rebeca Sosa
Senator Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 16<sup>th</sup> day of December, 2003. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board and conditioned on approval by the Committee on Amendment to the Crandon Park Master Plan.

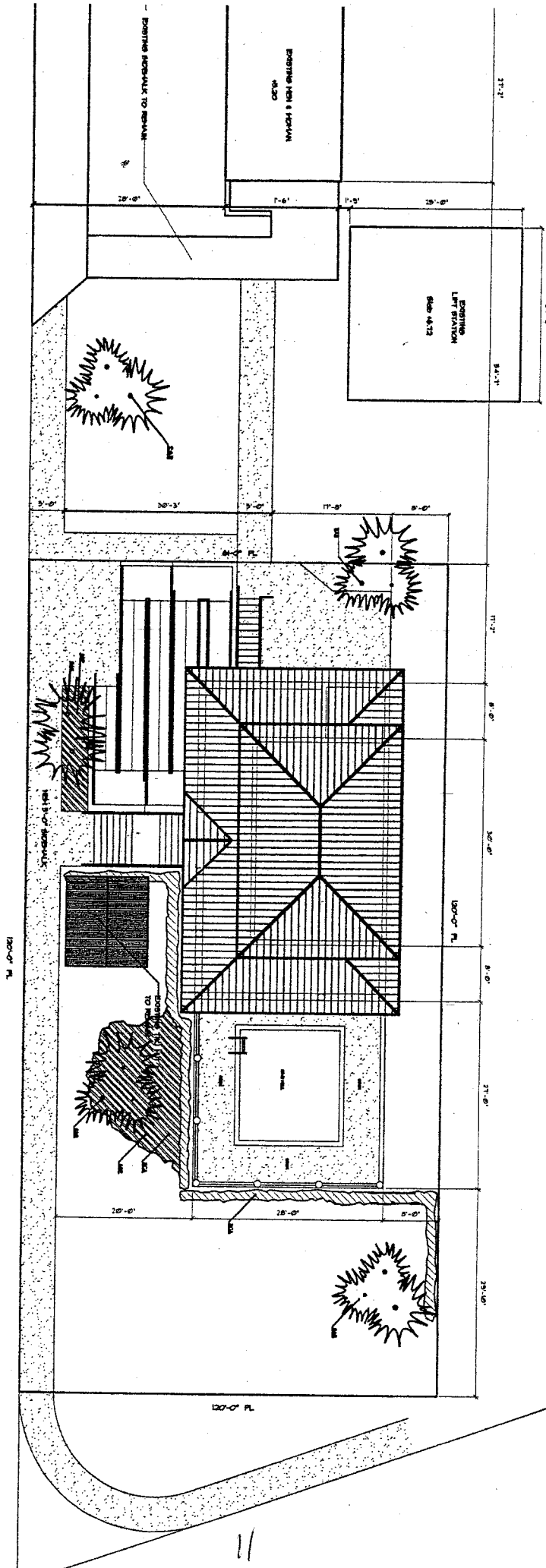
MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

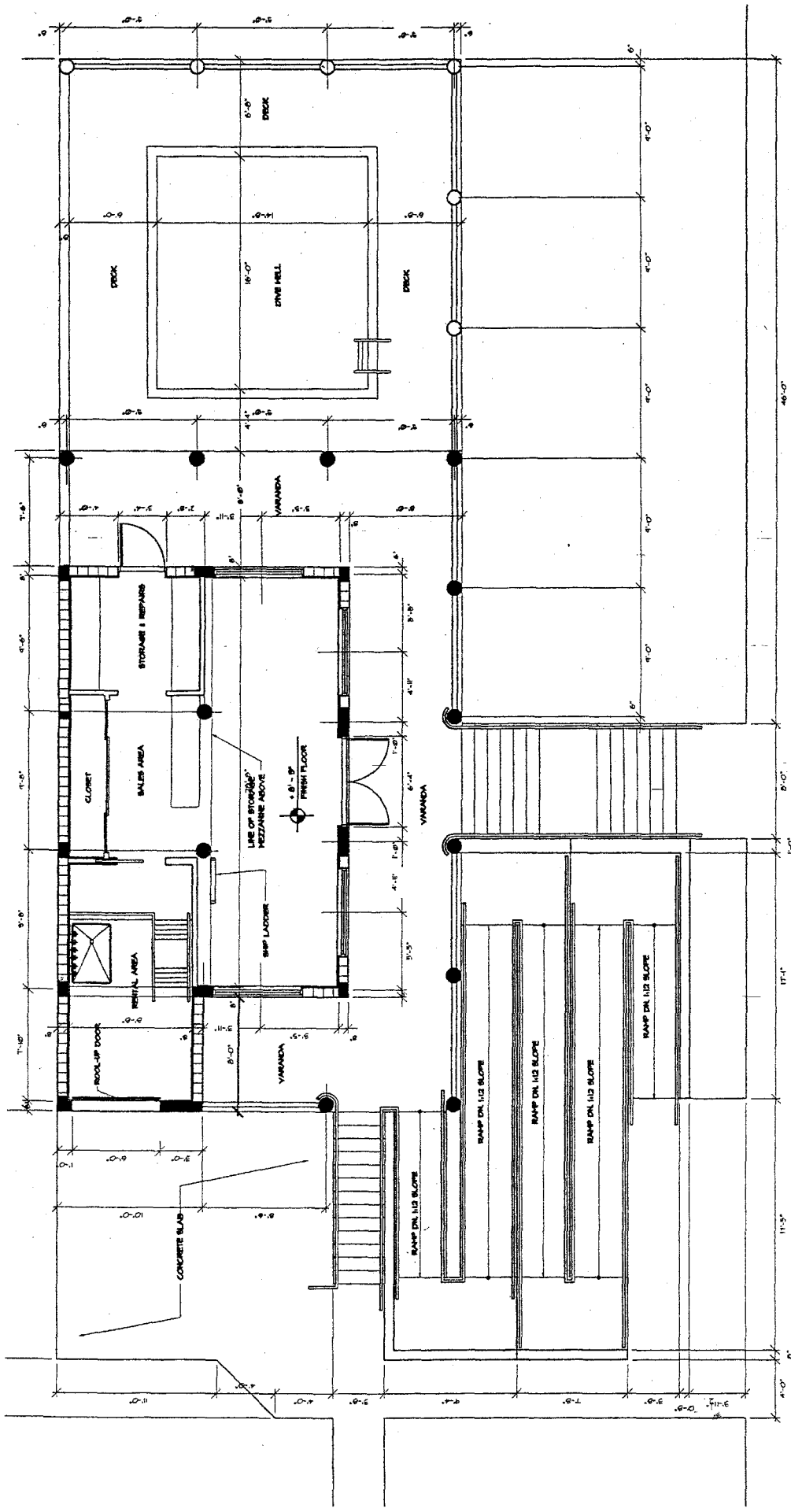
HARVEY RUVIN, CLERK

Approved by the County Attorney as  
to form and legal sufficiency. JAC  
Joni Armstrong Coffey

By: \_\_\_\_\_  
Deputy Clerk

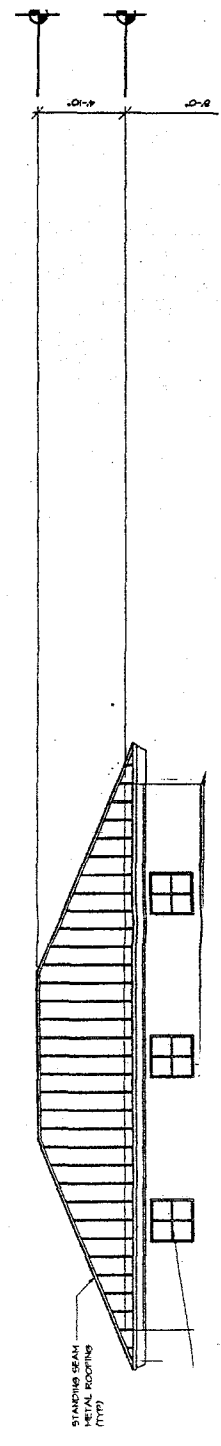
SITE DATA	
SITE AREA	19,250 SQ.FT.
BUILDING AREA	6,600 SQ.FT.
ENTRANCE AREA - A/C	505 SQ.FT.
STORAGE MEZANINE	500 SQ.FT.
DRIVING PAVL / DECK	756 SQ.FT.
VARANDA	604 SQ.FT.
SIDEWALK/RAMP/STAIRS	11,942 SQ.FT.
LANDSCAPE AREA	6,728 SQ.FT.
	100.00%
	43.0%
	6.4%
	10.35%
	10.25%
	6.24%
	31.65%





1/4" = 1' - 0"

GROUND FLOOR PLAN



## MEMORANDUM

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**TO:** George M. Burgess  
County Manager

**DATE:** September 22, 2003

**FROM:** Site Review Committee

**SUBJECT:** Governmental Facilities Hearing  
Approving Amendment of the Crandon  
Park Master Plan to modify the Uses and  
Scope of the Proposed Crandon Park  
Marina Dive Shop Building  
03GF09

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### REQUEST

In compliance with the approved process for amending the Crandon Park Master Plan, the Miami-Dade Park and Recreation Department has requested the initiation of prescribed procedures to review the proposed amendment to the master plan through the Governmental Facility Public Hearing process. The proposed amendment is to modify the uses and scope of the proposed Crandon Park Marina Dive Shop Building, as presently permitted by the Crandon Park Master Plan. This amendment is subject to the approval of the Crandon Park Amendment Committee.

The request of this Government Facilities Hearing is to amend the Crandon Park Master Plan to allow for modifications to the structure requirements for a proposed dive ship facility in Crandon Park Marina. Modifications include (1) raising the floor height restriction to comply with FEMA requirements, (2) increasing overall structure height as a necessity resulting from FEMA floor height restriction, (3) allowing an increase in the width of the veranda from 4 to 8 feet and allowing for the inclusion of a dive well for training and certification of dive patrons.

### BACKGROUND

In 1940, the Matheson family conveyed 900 acres of property on Key Biscayne to Miami-Dade County (formerly Metropolitan Dade County) for use as a public park. As a settlement of litigation between the heirs for the Matheson family and the County over appropriate public park uses, the family and the County entered into a Settlement Agreement in 1992. The Settlement Agreement provides that any amendment to the Master Plan be approved by the Board of County Commissioners by resolution and transmitted to the Crandon Park Amendment Committee (CPAC) as established by the Settlement Agreement. The Board of County Commissioners approved a draft Crandon Park Master Plan on July 13, 1993, via Resolution No. R-861-93. On July 18, 1996 the Board passed Resolution No. R-900-96, approving the final Crandon Park Master Plan.

Diver's Paradise has a lease agreement with Miami-Dade County for operation of dive facilities at Crandon Marina. Included in the Lease Agreement are provisions permitting construction of a dive building to replace the existing trailer. Diver's Paradise operated under a Permit to Conduct Business on County Property prior to execution of the Lease.

Diver's Paradise is requesting to modify the building restrictions imposed by the Crandon Park Master Plan on the dive shop facility at the marina. The first two of these, the floor height and total building height, are a result of FEMA regulations that require a floor height of 8.33 feet above grade, as opposed to the 18 inch height allowed by the Master Plan. This in turn affects the interior building height, providing less space from floor to ceiling of the structure.

Increasing the width of the veranda surrounding the outside of the structure would better accommodate the flow of patrons in and out of the building and the aesthetics of the required handicapped ramp. Inclusion of a diving well is necessary for the efficient certification and training of their dive shop patrons.

#### DESCRIPTION OF FACILITY FUNCTION

The submitted plans indicate a dive shop facility consisting of a sales area, storage and repair room, and a rental area for diving equipment. The building will be surrounded on three sides by an 8-foot wide veranda. The new facility is accessible by stairs or a ramp, which is located in the front and side area of the building. To the east of the building, a dive well is proposed for training divers. To the west of the proposed building, there is an existing restroom facility and lift station.

#### COMPREHENSIVE DEVELOPMENT MASTER PLAN

The Comprehensive Development Master Plan (CDMP) Adopted 2005 and 2015 Land Use Plan map designates the subject property for Park and Recreation Uses. The land is currently occupied by an existing dive shop facility located in a trailer at the Crandon Park Marina. The site is entirely contained within Crandon Park. To the west of the park is Biscayne Bay; to the north is Bear Cut and beyond that, Virginia Key; to the east is the Atlantic Ocean; and to the south of the park lies the Village of Key Biscayne.

The Recreation and Open Space (ROS) Element of the CDMP addresses open spaces and facilities providing recreational opportunities as their primary function.

#### INTRODUCTION

All recreation open spaces addressed by the ROS Element are categorized as either areawide or local. Areawide recreation open spaces meet the diverse recreational needs of Dade County residents and tourists on a countywide basis, and are classified as metropolitan parks, natural area preserves, special activity areas, and/or greenways. Local recreation open spaces meet the close-to-home recreational needs of the residents of specific areas within the County, and are classified as mini-neighborhood, single-purpose, and community and district parks. Miami-Dade County is responsible for the provision of areawide recreation open space Countywide, and of local recreation open space to unincorporated areas (Recreation and Open Space Element, page VI-1).

Recreation and Open Space Policy 1A

Areawide park and recreation open spaces shall be provided to meet the diverse needs of all Dade County residents and tourists. They shall continue to be established on the presence or development of regionally significant natural, historic, cultural, or tourism resources. The County shall be responsible for providing areawide park and recreation open spaces to all Dade County residents and tourists (Recreation and Open Space Element, page VI-1).

Recreation and Open Space Policy 1B

Local recreation open spaces serve the close-to-home recreation and open space needs of unincorporated residential areas. (Recreation and Open Space Element, page VI-1).

Recreation open space, as defined in the ROS Policies 1A and 1B, are categorized as either areawide or local, with areawide recreation open spaces meeting the recreational needs of Miami-Dade County residents and tourists on a Countywide basis, and with local recreation open spaces meeting the close-to-home recreational needs of the residents within specific areas or neighborhoods of the County. The park facility inventory maintained by the park and Recreation Department classifies Crandon Park as a Metropolitan Park under the areawide park and recreation open space category. Metropolitan Parks are large resource-oriented parks that may have valuable natural and historical resources and provide other compatible recreational activities to park users.

The application furthers the following Policies of the Land Use Element of the CDMP.

Policy 2B

Priority in the provision of services and facilities and the allocation of financial resources for services and facilities in Miami-Dade County shall be given first to serve the area within the Urban Development Boundary (UDB) of the Land Use Plan (LUP) map. Second priority shall support the staged development of the Urban Expansion Area (UEA). Urban services and facilities which support or encourage urban development in Agriculture and Open Land areas shall be avoided, except for those improvements necessary to protect public health and safety and which service the localized needs of these non-urban areas (Land Use Element, page 1-5).

The proposed site plan for the dive facility places the structure near the northern corner of the marina, south of Crandon Boulevard, and adjacent to parking. The dive facility furthers the following additional objectives and/or policies of the Recreation and Open Space Element.

Policy 3A

The County shall continue to improve physical access to parks and recreation open spaces for autos, bicycles, pedestrians, and public transportation through the joint efforts of the Park and Recreation Department, the Public Works Department, and the Transit Agency, as well as other concerned County agencies, where deemed necessary by the Park and Recreation Department (Recreation and Open Space Element, page VI-7).

Policy 3B

The Miami-Dade Park and Recreation Department shall continue to provide improved access for persons with disabilities by removing architectural barriers to program participation. Actions include retrofitting existing building components to comply with the 1991 Americans with Disabilities Act (ADA) (Recreation and Open Space Element, page VI-7).

Uses that are supportive, but potentially incompatible, shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the compatible and complementary elements and buffer any potentially incompatible elements (Land Use Element, page 1010).

Policy 5C

The Park and Recreation Department shall, as funds are available, renovate, restore, and upgrade County facilities to ensure that the public can safely and securely enjoy recreational opportunities, and that the County can cost-effectively extend the useful life of existing facilities. Expenditures for the renovation, restoration and upgrade of existing parks and recreation facilities are prioritized as follows: 1) repairs and projects increasing visitor safety; 2) hazard reduction; 3) facility upgrade and resource management; 4) accessibility improvements in compliance with ADA; and 5) energy efficiency improvements. The County shall implement projects and activities including but not limited to the following in order to address these priorities:

- iii.) The Park and Recreation Department will redevelop facilities that are no longer functional, whose use has changed, or that require building code upgrades. Park sites containing important natural, historic, or archaeological resources will be developed and managed for the long-term sustainability and integrity of the resource.
- iv.) The Metro-Dade Park and Recreation Department shall continue to provide improved access for persons with disabilities by removing architectural, communication and program barriers to participation in compliance with ADA.
- v.) The Park and Recreation Department will install energy efficient equipment within its facilities that measurably: 1) decreases water consumption and treatment within restrooms and irrigation systems; 2) increases the use of more energy efficient cooling, refrigeration, and lighting equipment, including solar powered lighting; 3) increases the use of automated equipment to filter and monitor swimming pools (Recreation and Open Space Element, page Vi-12).

The dive facility proposal furthers the following objectives and/or policies of the Coastal Management Element:

Objective 5

Increase the amount of shoreline devoted to water-dependent, water-related, and publicly accessible uses in Miami-Dade County by 2000 (Coastal Management Element, page VII-10).



Policy 5A

A wide range of public water-oriented opportunities shall be provided at the water's edge within the Coastal Area in Miami-Dade County. Through its Shoreline Development review process, the County shall continue to afford greater visual and physical public access to the coastal bays and their tributaries (Coastal Management Element, page VII-10).

Policy 5B

The County shall place a high priority on maintaining existing water-dependent uses (i.e. uses which cannot exist or occur without association with coastal or estuarine water masses), and water-related uses by the public identifying appropriate, environmentally compatible new areas for such activities. Priority will be given in land planning by Miami-Dade County for water-dependent land uses along the shoreline (Coastal Management Element, page VII-10).

Policy 5F

The siting of water dependent facilities shall be based on upland, shoreline and in-water characteristics, as well as submerged land ownership. At a minimum, the following general criteria shall be used to determine the appropriateness of sites within the Coastal Area for marina/water-dependent projects:

- i.) Construction or subsequent operation of any proposed marina/water dependent project shall not destroy or degrade:
  - Hammocks, pinelands, or salt marshes, or
  - Mangrove Protection Areas, or
  - Seagrass or hard bottom communities, or
  - Habitats used by endangered or threatened species.
- ii.) Where applicable, the proposed marina/water-dependent project site shall have:
  - A minimum depth of 4 feet at mean low tide in the proposed marina basin and access channel, and direct access to the Intracoastal Waterway or to another dredged channel or area with a minimum of 6 feet at mean low tide, and
  - Good landside accessibility.
- iii.) The proposed marina/water-dependent facility shall be:
  - Compatible with existing, surrounding land uses, and
  - Of sufficient size to accommodate project and the required parking, and
  - Consistent with the requirements of Dade County's Shoreline Development Review process, as specified in Chapter 33D of the Code of Miami-Dade County, as may be amended from time to time.

- iv.) The proposed marina/water-dependent facility shall:
- Preserve or improve traditional public shoreline uses and public access to estuarine and coastal waters, and
  - Preserve or enhance the quality of the estuarine and coastal waters, water circulation, tidal flushing and light penetration, and
  - Preserve archaeological artifacts or zones and preserves or sensitively incorporate historic sites, and
  - Where applicable, provide a hurricane contingency plan (Coastal Management Element, pages VII-10-11.)

#### Policy 6G

All applicable County development review processes shall require dumpsters, trash transfer stations, gas pumps for automobile fueling, parking lots and all unsightly non-water dependent or water related uses on uplands within the Coastal Area to be placed away from the shoreline, and buffered from view from the water (Coastal Management Element, page VII-12.)

The plan includes landscaping, which has the potential to be incompatible with Policy 8I of the Conservation, Aquifer Recharge and Drainage Element of the CDMP, which states on pages IV-14 and 15 that the following exotic pest plants shall not be sold, propagated, or planted within Miami-Dade County. If existing on a development site, they shall be removed prior to development. The following exotic plant species may not be planted within 500 feet of native plant communities that they are known to invade:

#### Exotic Species (Latin and Common Name)

#### Native Ecosystem

Scaevola taccada var. sericea (=S. frutescens;  
=S. sericea) (Scaevola; half-flower)

Beach, coastal uplands

#### EXISTING LAND USE PATTERN

#### LAND USE PLAN DESIGNATION

##### Subject Property:

GU; Crandon Park Marina

Parks and Recreation

##### Surrounding Properties:

NORTH: Bear Cut (Ocean)

SOUTH: Key Biscayne Village

EAST: Crandon Park

WEST: Biscayne Bay

Atlantic Ocean

Low Density Residential, 2.5 to 6 du  
Business and Office; Medium Density,  
13 to 25 du

Parks and Recreation, Environmentally  
Protected Parks, Atlantic Ocean

Atlantic Ocean

### IMPACT OF THE FACILITY ON SURROUNDING LAND USES

The proposed dive shop will not negatively impact any residential areas as the facility is located internal to the site. However, staff of the Department of Planning and Zoning is of the opinion that some of the shrubs proposed will negatively impact the surrounding park's habitat and recommends species that are native to South Florida.

### STAFF RECOMMENDATIONS

The **Department of Planning and Zoning** feels that this application should be approved, subject to the following condition:

1. That the plot use plan be submitted to and meet the approval of the Director; said plan to include among other things but not be limited thereto, location of building or buildings, type and location of signs, light standards, parking areas, exits and entrances, drainage, walls, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with the plan submitted for the hearing entitled, "Divers Paradise," prepared by Ahmed A. Alvarez Architect, last dated 10/03/2002 consisting of three (3) sheets.
3. That the applicant submit to the Department of Planning and Zoning for its review and approval at the time of building permit, a landscaping plan which indicates the type of plant material and size to be installed prior to final construction sign-off.
4. That the proposed scaevola frutescens shrubs be replaced with a shrub species native to South Florida.

The **Public Works Department - Right-of-Way Division** makes the following recommendation:  
The Department has no objection to the plan as presented.

The **Public Works Department - Traffic & Highway Engineering** makes the following observation regarding the Crandon Park Marina Dive Shop: No roadway projects are planned by Public Works Department that would interfere with this proposed project.

The **Fire Rescue Department** makes the following observation and recommendation:

The closest station responding to this area is the Key Biscayne Station #15, located at 2 Crandon Boulevard. It is equipped with a rescue and an air truck. Compliance with all applicable Life Safety and NFPA codes is required. Prior to construction, Fire and Water Engineering Section must review the finalized site plan. (Located at 11805 SW 26 Street, they may be reached at 305-315-2775.)

The **Miami-Dade Water & Sewer Department** makes the following recommendation:  
The Department has no objections, but makes the following comments:

#### Water:

1. Connect to an existing twelve (12) inch water main in Crandon Boulevard.
2. Extend a twelve (12) inch water main southwesterly along the road in front of the subject property to the property's SE corner. Any water main extension within the site shall be twelve (12) inch minimum in diameter with two (2) points of connection and the system shall be looped.

Sewer:

A private pump station is needed. Information on the F.M., P.O.C. and pressure to be provided by Planning Section. Prior to construction, please contact Department of Water and Sewer for plans review.

The Department of Environmental Resources Management makes the following recommendation: DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application and it may be scheduled for public hearing. DERM has also evaluated the request insofar as the general environmental impact that may derive from it, and based upon the available information offers no objection to its approval.

Potable Water Supply:

Public water can be made available to this site; therefore, connection will be required.

Existing public water facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Wastewater Disposal:

Public Sanitary sewers abut the site in the form of a 24-inch force main. Section 24-13(6) of the Code requires the nonresidential land uses be served by public water and by public sanitary sewers. Section 24-13(7) of the Code requires that when an approved public gravity sanitary sewer or approved sanitary sewer force main is available and operative in a public right-of-way or easement abutting the property, the use of any liquid waste storage, disposal or treatment method shall cease within 90 days of the date that the Director of DERM or his designee determines that the approved public sanitary sewer is available and operative. Thereafter all liquid wastes that one generated, handled, disposed of, or stored on the property shall be discharged to an approved and operative gravity sanitary sewer or approved and operative sanitary sewer force main. Accordingly, DERM will require that pursuant to the above noted Code Requirements the property be connected to the public sanitary sewer system.

Additionally, in light of the fact that the County's public sanitary sewer system has limited collection/transmission and treatment capacity, no new sewer service connections can be permitted until adequate capacity becomes available. Consequently, final development orders for this site may not be granted unless adequate capacity in the sanitary sewer collection/transmission system becomes available or if approval for alternative means of sewage disposal can be obtained. Use of an alternative means of sewage disposal shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management & Disposal:

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year

storm event. Pollution Control devices shall be required at all drainage inlet structures. Positive drainage systems or direct discharge of stormwater runoff into Biscayne Bay are not permitted.

A No-Notice General Environmental Resources Permit from DERM shall be required for the drainage system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County. Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Hazardous Waste:

A review of the DERM records indicates that the referenced site is currently or was historically permitted with the DERM under industrial waste permit IW5-7052 and storage tank permit UT-1314. The site is currently a petroleum-contained site and is in a state administered cleanup program. All below ground construction and drainage installation activities, including dewatering and soil intrusive activities within the subject area of contamination must be reviewed and approved by the DERM Pollution Remediation Section. Additionally, the site is located within a ½ mile radius of a solid waste permitted site (SW-1244) known as Virginia Key Dump.

Freshwater Wetlands:

The subject property is not located within jurisdictional freshwater wetlands as defined by Chapter 24-3 of the Code of Miami-Dade County, Florida. Therefore, Miami-Dade County will not require a Class IV Permit for work on this site.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600), and the South Florida Water Management District (1-800-432-2045) may be required for these proposed projects. It is the applicants' responsibility to contact these agencies concerning their permitting requirements.

Coastal Resources:

Modifications to the existing dive shop facility do not appear to directly impact tidal waters, mangroves or coastal wetlands. However, please be advised that filling of coastal wetlands or tidal waters is generally prohibited, and a Class I Permit must be obtained for any work in such areas or for mangrove trimming. Also, it is noted that some plants mentioned in the landscape plans for the above project are controlled species. In accordance with Section 24-27 of the Miami-Dade County Code, prohibited and controlled species must be removed from the redevelopment site. It is recommended that the landscape plans be revised to eliminate errors in the plant species, increase diversity, and improve consistency with the master plant list for Crandon Park in the Master Plan.

Tree Preservation:

Section 24-60 of the Code requires the preservation of tree resources. Consequently, DERM will require the preservation of all the specimen-sized (trunk diameter  $\pm$  18 inches) trees, as defined in the

Code, which are on the site. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements prior to development of site and landscaping plans.

Concurrency Review Summary:

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

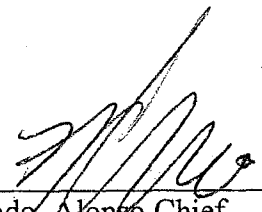
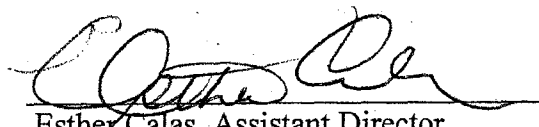

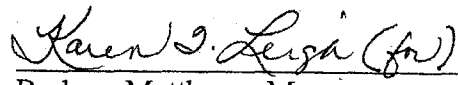
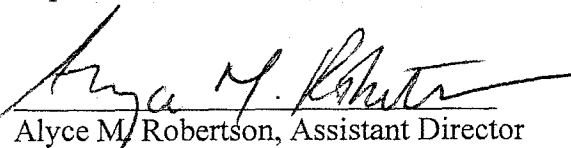
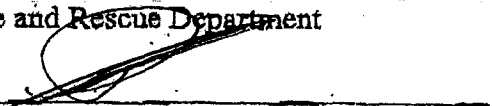

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval as required by the Code. Additionally, DERM has also evaluated the application so as to determine its general environmental impact and after reviewing the available information offers no objections to the approval of the request.

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MIAMI-DADE COUNTY SITE REVIEW COMMITTEE

Application 03GF09

MIAMI-DADE PARK AND RECREATION DEPARTMENT'S REQUEST TO AMEND THE  
CRANDON PARK MASTER PLAN IN ORDER TO MODIFY THE USES AND SOCPE OF THE  
CRANDON PARK MARINA DIVE SHOP BUILDING

  
\_\_\_\_\_  
Fernando Alonso Chief  
Right-of-Way Division  
Public Works Department  
\_\_\_\_\_  
Esther Calas, Assistant Director  
Public Works Department  
Traffic & Highway Engineering  
\_\_\_\_\_  
for Diane O'Quinn Williams, Director  
Department of Planning and Zoning  
\_\_\_\_\_  
Barbara Matthews, Manager  
Capital Improvements and Planning  
Fire and Rescue Department  
\_\_\_\_\_  
Alyce M. Robertson, Assistant Director  
Department of Environmental  
Resources Management  
\_\_\_\_\_  
Phillip Torres, P.E., Chief  
Plans Review Section  
Department of Water & Sewer  
\_\_\_\_\_  
Bernard McGriff, Director  
General Services Administration